

ANALYSIS

This ordinance amends Title 8 – Consumer Protection and Business Regulations and Title 11 – Health and Safety of the Los Angeles County Code relating to fees and fee category definitions for inspections conducted by the Department of Public Health by:

- Modifying Title 8 definitions relating to public health fees and business categories to make them consistent with the definitions found in State laws and regulations, to create new categories of permit and service fees, and to expand the application of certain service fees to other types of business operations;
- Modifying Title 8 to reflect technical and non-substantive changes to public health license, permit, and service fees;
- Modifying Title 11 to reflect technical and non-substantive changes to public health license, permit, and service fees; and
- Modifying Title 11 to repeal in its entirety Chapter 11.36, Body Art Establishments, as a result of the recent adoption of Assembly Bill 300, The Safe Body Art Act.

JOHN F. KRATTLI
County Counsel

By


GRACE V. CHANG
Principal Deputy County Counsel
Health Services Division

GVC:vn

Requested: 05/11/12
Revised: 06/15/12

ORDINANCE NO. 2012-0032

An ordinance amending Title 8 – Consumer Protection and Business Regulations and Title 11 – Health and Safety of the Los Angeles County Code, relating to Swimming Pool Services.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 8.04.064 is hereby amended to read as follows:

8.04.064 Body art facilityestablishment.

"Body art facilityestablishment" ~~is as defined in Section 11.36.070~~ means a body art facility as defined in the California Health and Safety Code, Section 119301 (d).

SECTION 2. Section 8.04.065 is hereby amended to read as follows:

8.04.065 Body art practitionertechnician.

"Body art practitionertechnician" means a practitioner as defined in California Health and Safety Code, Section 119301 (t) who has submitted an application and documentation demonstrating that they meet the requirements of the California Health and Safety Code, Sections 119306 (b)(1-7) ~~is as defined in Section 11.36.080.~~

SECTION 3. Section 8.04.066 is hereby deleted in its entirety:

~~8.04.066 Body art technician independent operator.~~

~~"Body art technician independent operator" is as defined in Section 11.36.090.~~

SECTION 4. Section 8.04.067 is hereby amended to read as follows:

8.04.067 Body art facilityestablishment, temporary.

"Body art facilityestablishment, temporary" means a body art establishment as defined in Los Angeles County Code, Title 844, Section 8.04.064 which operates for up

~~to seven (7) days in a ninety (90) day period~~~~11.36.070 which operates at a body art temporary event as defined in Section 11.36.100.~~

SECTION 5. Section 8.04.068 is hereby amended to read as follows:

8.04.068 Body art temporary event, promoter.

"Body art temporary event, promoter" means the person who is responsible for the maintenance of all areas and facilities that are used by the public, or are shared by temporary body art facilities, at an event with one or more temporary body art facilities~~organized a body art temporary event as defined in Section 11.36.100.~~

SECTION 6. Section 8.04.305 is hereby amended to read as follows:

8.04.305 Mobile body art facility establishment.

"Mobile body art facility establishment" means a vehicle, conveyance, or other mobile platform approved for use by the department as a body art facility~~is as defined in Section 11.36.240.~~

SECTION 7. Section 8.04.373 is hereby amended to read as follows:

8.04.373 Public health permit.

"Public health permit" means a written authorization to operate a body art facility, food establishment or food facility, including but not limited to a food demonstrator, retail food market, retail food vehicle, dairy food vehicle, mobile food preparation unit, personal hawker, or vending machine, issued by the county treasurer-tax collector, without which permit said operation would be unlawful.

SECTION 8. Section 8.04.452 is hereby amended to read as follows:

8.04.452 Temporary food facility booth.

"Temporary food ~~facility~~booth" means a temporary food facility, as defined in the California Health and Safety Code, Section 113930, approved by the County health officer, which operates at an approved community event.

SECTION 9. Section 8.04.453 is hereby amended to read as follows:

8.04.453 Temporary food ~~facility~~booth, demonstrator.

"Temporary food ~~facility~~booth, demonstrator" means a temporary food ~~facility~~booth operated at a community event for the purpose of offering or serving packaged or nonpackaged food, without charge, to the public for the purpose of publicizing, advertising, or promoting the sale of food products or food equipment, which operates by permit for up to twenty-five (25) consecutive or non-consecutive days in a ninety (90) day period.

SECTION 10. Section 8.04.454 is hereby amended to read as follows:

8.04.454 Temporary food ~~facility~~booth, prepackaged.

"Temporary food ~~facility~~booth, prepackaged" means a temporary food ~~facility~~booth operating at a community event which offers for sale only commercially prepackaged food with or without offering prepackaged samples, and which operates by permit for up to twenty-five (25) consecutive or non-consecutive days in a ninety (90) day period.

SECTION 11. Section 8.04.455 is hereby amended to read as follows

8.04.455 Temporary food ~~facility~~booth, prepackaged with food sampling.

"Temporary food ~~facility~~booth, prepackaged with food sampling" means a temporary food ~~facility~~booth operating at a community event which offers for sale only commercially prepackaged food and offers or serves nonpackaged food to the public

without charge for the purpose of promoting the sale of food, and which operates by permit for up to twenty-five (25) consecutive or non-consecutive days in a ninety (90) day period.

SECTION 12. Section 8.04.456 is hereby amended to read as follows

8.04.456 Temporary food ~~facility~~booth, food preparation.

"Temporary food ~~facility~~booth, food preparation" means a temporary food ~~facility~~booth operating at a community event which offers for sale nonpackaged food, and which operates by permit for up to twenty-five (25) consecutive or non-consecutive days in a ninety (90) day period.

SECTION 13. Section 8.04.457 is hereby amended to read as follows:

8.04.457 Temporary food booth at single location~~certified farmers' market~~ annual, ~~prepackaged~~.

"Temporary food booth at single location~~certified farmers' market~~ annual, ~~prepackaged~~" means a prepackaged temporary food ~~facility~~booth as defined in Section 8.04.454, which operates as a food booth at a community event or multiple community events held at a single location~~at a certified farmers' market~~ for up to twelve (12) months per year.

SECTION 14. Section 8.04.458 is hereby amended to read as follows:

8.04.458 Temporary food booth at single location~~certified farmers' market~~ annual, ~~prepackaged~~ with food sampling.

"Temporary food booth at single location~~certified farmers' market~~ annual, ~~prepackaged~~ with food sampling" means a prepackaged temporary food ~~facility~~booth with food sampling as defined in Section 8.04.455, which operates as a food booth at a

community event or multiple community events held at a single location~~certified farmers'~~
~~market~~ for up to twelve (12) months per year.

SECTION 15. Section 8.04.459 is hereby amended to read as follows:

**8.04.459 Temporary food booth at single location~~certified farmers'~~ market
annual food booth, food preparation.**

"Temporary food booth at single location~~certified farmers'~~ market annual food
booth, food preparation" means a temporary food facility, food~~booth~~ preparation as
defined in Section 8.04.456, which operates as a food booth at a community event or
multiple community events held at a single location~~certified farmers'~~ market for up to
twelve (12) months per year.

SECTION 16. Section 8.04.720 is hereby amended to read as follows:

8.04.720 Fee schedule.

Business Classification	Permit Fee
Animal food market	\$175.00
Animal keeper:	
Category I	454.00
Category II	562.00
Category III	616.00
Boarding home:	
7 to 15 persons	508.00
16 to 50 persons	616.00
51 or more persons	681.00

Business Classification	Permit Fee
Body art facility:	
<u>1 to 3 practitioners</u> Body art establishment	<u>368.00</u> 783.00
<u>4 or more practitioners</u> Body art technician-independent operator	<u>443.00</u> 212.00
Caterer:	
0 to 999 square feet	1,895.00
1,000 to 1,999 square feet	2,069.00
2,000 or more square feet	2,624.00
Certified farmers' markets sponsor:	
1 to 20 certified producers	187.00
21 or more certified producers	281.00
Children' s camp	671.00
Children' s day camp	865.00
Commercial sex venue	1,088.00
Commercial laundry:	
Less than 4,000 square feet	260.00
More than 4,000 square feet	671.00
Fertilizer manufacturer	1,557.00
Food demonstrator	379.00
Food facility or food establishment <u>re-inspection</u> reinpection	126.00

Business Classification	Permit Fee
Food market, retail:	
125 to 1,999 square feet - low risk	251.00
125 to 1,999 square feet - moderate risk	629.00
125 to 1,999 square feet - high risk	1,003.00
2,000 or more square feet - low risk	337.00
2,000 or more square feet - moderate risk	719.00
2,000 or more square feet - high risk	1,166.00
Food market, wholesale	856.00
Food market complex, wholesale	1,250.00
Food processing establishment:	
Less than 2,000 square feet of food preparation	2,000.00
2,000 to 5,999 square feet of food preparation	2,354.00
6,000 square feet or more of food preparation	2,624.00
Reinspection - all sizes	174.00
Food salvager	1,817.00
Food vehicle:	
Food vehicle, independent delivery	110.00
Mobile food facility - food cart, low risk	342.00

Business Classification	Permit Fee
Mobile food facility - food cart, high risk	671.00
Mobile food facility - food <u>truck</u> vehicle, low risk	602.00
Mobile food facility - food <u>truck</u> vehicle, high risk	787.00
Food vehicle commissary:	
0 to 10 vehicles	498.00
11 or more vehicles	567.00
Food vehicle storage facility	332.00
Food vehicle cleaning and storage facility	366.00
Food warehouse:	
1 to 4,999 square feet	352.00
5,000 or more square feet	387.00
Garment manufacturing establishment:	
Up to 1,000 square feet	519.00
1,001 to 4,999 square feet	584.00
5,000 to 9,999 square feet	606.00
10,000 to 19,999 square feet	627.00
More than 20,000 square feet	692.00
Garment manufacturing complex	671.00
Hotel or motel:	
6 to 10 rooms	433.00

Business Classification	Permit Fee
11 to 20 rooms	433.00
21 to 50 rooms	530.00
51 to 100 rooms	552.00
101 rooms and over	649.00
Laundry (self-service):	
Less than 4,000 square feet of work rooms	162.00
4,000 square feet or more of work rooms	221.00
Multiple-dwelling units:	
Apartments - 5 to 10 units	299.00
Apartments - 11 to 20 units	309.00
Apartments - 21 to 50 units	368.00
Apartments - 51 to 100 units	394.00
Apartments - 101+ units	417.00
Condominiums - 5 to 10 units	110.00
Condominiums - 11 to 20 units	120.00
Condominiums - 21 to 50 units	133.00
Condominiums - 51 to 100 units	194.00
Condominiums - 101 or more units	284.00
Personal hawker	195.00
Private boarding school	649.00

Business Classification	Permit Fee
Private school cafeteria	476.00
Recycled water:	
Inspection	260.00
Use site registration	65.00
Residential hotel/single room occupancy:	
6 to 10 units	433.00
11 to 20 units	433.00
21 to 50 units	530.00
51 to 100 units	552.00
101 or more units	649.00
Restaurant:	
0 to 30 seats - low risk	277.00
0 to 30 seats - moderate risk	625.00
0 to 30 seats - high risk	1,049.00
31 to 60 seats - low risk	299.00
31 to 60 seats - moderate risk	663.00
31 to 60 seats - high risk	1,138.00
61 to 150 seats - low risk	322.00
61 to 150 seats - moderate risk	729.00
61 to 150 seats - high risk	1,196.00
151 seats or more - low risk	348.00
151 seats or more - moderate risk	810.00

Business Classification	Permit Fee
151 seats or more - high risk	1,250.00
(In computing drive-in restaurant seating capacity, each customer parking space shall be calculated as equivalent to a seating capacity of two. Notwithstanding any of the foregoing, when the restaurant is a snack bar or refreshment stand on the premises of a walk-in or drive-in theater, as set forth in Section 8.04.400 of this chapter, the fee shall be equivalent to that imposed on a restaurant of less than thirty (30) seats.)	
Senior feeding site	314.00
Septic tank, cesspool, chemical toilet, or seepage - pit cleaning vehicle	182.00
Swap meet prepackaged food booth	158.00
Swimming pool or public swimming area:	
High risk:	
First pool at location	876.00
Each additional pool at the same location	454.00

Business Classification	Permit Fee
Low risk:	
First pool at location	238.00
Each additional pool at the same location	141.00
Moderate risk:	
First pool at location	584.00
Each additional pool at the same location	303.00
Theater (including drive-in)	234.00
Tobacco retail license fee	235.00
Toilet rental agency	476.00
Vending machines	62.00
Water systems:	
15 to 24 service connections	1,103.00
25 to 99 service connections	1,233.00
100 to 199 service connections	1,363.00
Local small water system (1 to 4 service connections)	714.00
State small water system (5 to 14 service connections)	844.00
Non-community water system non-transient	844.00

Business Classification	Permit Fee
Non-community water system transient	844.00
Wiping rag business	714.00

SECTION 17. Section 8.04.725 is hereby amended to read as follows:

8.04.725 Schedule of plan check fees.

The Schedule of Plan Check fees to be paid at the time plans are submitted to the County health officer shall be as follows:

Business Classification	Plan Check Fees
Body art <u>facility</u> establishment	990.00
Mobile body art <u>facility</u> establishment	990.00
Cross-connection	1,557.00
Food facility remodel,	
300 square feet or less	274.00
Food market, retail:	
25 to 50 square feet	746.00
51 to 1,999 square feet	973.00
2,000 to 5,999 square feet	1,071.00
6,000 to 19,999 square feet	1,363.00
20,000 or more square feet	1,655.00
Food market, wholesale	1,304.00

Business Classification	Plan Check Fees
Food market complex, wholesale	2,012.00
Food processing establishment:	
1 to 1,999 square feet	1,525.00
2,000 to 5,999 square feet	1,882.00
6,000 or more square feet	2,249.00
Food salvager	464.00
Food vehicle, retail	649.00
Food vehicle commissary	692.00
Food vehicle storage facility	175.00
Food vehicle cleaning and storage facility	175.00
Food warehouse:	
0 to 500 square feet	746.00
501 to 4,999 square feet	876.00
5,000 to 9,999 square feet	1,006.00
10,000 or more square feet	1,103.00
Radiation health:	
Dental	357.00
Other	699.00
Restaurant:	
Less than 500 square feet	908.00
500 to 1,999 square feet	1,330.00

Business Classification	Plan Check Fees
2,000 to 3,999 square feet	1,622.00
4,000 to 9,999 square feet	1,979.00
10,000 or more square feet	2,368.00
Swimming pool, public - new	1,038.00
Swimming pool, public - major renovation	389.00
Swimming pool, public - minor renovation	130.00
Swimming pool, public - standard renovation	260.00
Water systems:	
Community water systems (new or revised or ownership change)	1,298.00
Non-community water system (new or revised or ownership change)	1,038.00

SECTION 18. Section 8.04.728 is hereby amended to read as follows:

8.04.728 Service charges -- Basis -- Payment.

A. Whenever another government jurisdiction requires a person to secure an inspection, evaluation, report or approval by the County health officer, necessitating the County health officer to provide a service, such person shall pay a fee to offset the costs incurred by the County health officer as set forth in this section.

B. Any person who voluntarily seeks to secure, from the County health officer, an inspection, evaluation, report, approval, or other service not listed in Section 8.04.720 shall pay a fee to offset the costs incurred by the County health officer as set forth in this section.

C. Requests for special services described in Subsections A and B of this section shall be made on forms provided for that person by the County health officer. Services provided by the County health officer that are not listed in Section 8.04.720 and that are not detailed in the Schedule of Service Charge in Subsection F, shall be charged in accordance with the following Standard Hourly-Billing Hourly Rate Schedule. All applicable fees, as provided in this chapter, shall be paid at the time of application or request.

Position Classification	Rate (\$/hr)
Chief Environmental Health Specialist	\$153.00
Clerical - Blended	68.00
Environmental Health Specialist II	116.00
Environmental Health Specialist III/IV	129.00
Environmental Health Staff	
Environmental Health Technician	77.00
Epidemiologist	148.00
Industrial Hygienist	141.00
Senior Radiation Protection Specialist	139.00

D. The County health officer, upon request and in his discretion, may provide to a party requesting plan review an Expedited Construction Inspection. The initial Expedited Construction Inspection shall be completed within forty-eight (48) hours from receipt of payment of the fee. The fee charged shall be one-half (0.5) of the appropriate plan check fee and shall cover the cost of the initial and, if the County health officer deems it necessary, a final construction inspection. If a final construction inspection is deemed necessary, the party shall submit a separate request for such final construction inspection which shall be completed within forty-eight (48) hours from the time said request is received. Any additional construction inspections will be charged according to the Standard Billing Hourly Rate Schedule in Subsection C above.

E. The County health officer, upon request and in his discretion, may provide to a party requesting an Expedited Plan Check Review Process. An Expedited Plan Check Review Process shall consist of the initial plan review to be completed within ten (10) working days from receipt of payment of the fee and one follow-up plan review, and upon separate request, an initial and, if the County health officer deems it necessary, a final construction inspection to be completed within forty-eight (48) hours from the time said request is received. A fee shall be charged at the rate of one and a half (1.5) times the appropriate plan check fee and shall cover the cost of the expedited initial and follow-up plan review and the expedited initial and final construction inspections. Any additional reviews or inspections will be charged according to the Standard Billing Hourly Rate Schedule in Subsection C above.

F. Following is the Schedule of Service Charges for services provided by the County health officer. Failure to pay said fees constitutes a violation of this section and may be prosecuted as such.

Backflow prevention assembly (each):	\$20.00
Backflow prevention device tester:	
Biennial certification examination tester fee	296.00
Listing of certified backflow prevention device testers	240.00
Body art facility establishment, temporary	130.00 258.00
Body art practitioner technician:	
Annual Triennial certificate of registration	47.00
Body art temporary event promoter sponsor	1,426.00
Coastal Commission - Approval in concept	392.00
Community event (a separate permit is required for each event and each location):	
Community event organizer	311.00
Temporary food facility booth - demonstrator	51.00
Temporary food facility booth - prepackaged	71.00

Temporary food facility booth - prepackaged with food sampling	101.00
Temporary food facility booth - food preparation	160.00
Temporary food booth at <u>single</u> <u>location</u> certified farmers' market - Annual, food preparation	441.00
Temporary food booth at <u>single</u> <u>location</u> certified farmers' market - Annual, Prepackaged	143.00
Temporary food booth at <u>single</u> <u>location</u> certified farmers' market - Annual, Prepackaged with food sampling	182.00
Entomology:	
Specimen identification	41.00
Massage parlor:	
Massage parlor inspection	175.00
Mountain cabin site:	

County health officer inspection (per United States Forest Service requirements)	<u>Standard</u> <u>Billing Hourly</u> <u>Rate</u> Functional hourly rate
Nondiagnostic laboratories:	
Annual fee	150.00
Additional fee site	48.00
Additional diagnostic test fee	144.00
Owner initiated inspection:	
a. Restaurant - low risk	287.00
b. Restaurant - moderate risk	340.00
c. Restaurant - high risk, <u>Caterer,</u> <u>or Mobile Food Facility</u>	383.00
d. Food market retail - low risk	250.00
e. Food market retail - moderate risk	312.00
f. Food market retail - high risk	333.00
Private sewage disposal system:	
County health officer inspection (per VA/FHA requirements)	365.00

County health officer permit (per Title 28, Los Angeles County Code, Ordinance 2269, Section 1109):	
New system	389.00
Existing system	454.00
Public health license waiver letter request (garment industry)	249.00
Public/state water system enforcement activities:	
Public water system administrative hearing	324.00
Public water system citation	649.00
Public water system NOV	260.00
State - local water system administration hearing	324.00
State - local water system citation	519.00
State - local water system NOV	260.00
Site transfer/site address change	51.00
Soft serve high count resample	389.00
Swimming pool service technician/apprentice exam and certification:	
Swimming pool service technician/apprentice exam	184.00

Swimming pool service technician/apprentice technician certification renewal fee	65.00
Water sampling - commercial for USDA	714.00
Water supply yield:	
Water supply yield test - commercial	1,038.00
Water supply yield test - residential four (4) connections or less	844.00
Water supply yield test - residential each additional connections beyond four (4)	519.00
Water treatment system evaluation	519.00
Wells:	
Monitoring well construction (less than twenty-five (25) wells per parcel)	519.00
Monitoring well construction twenty-five (25) or more wells per parcel	130.00
Well construction (production, cathodic, irrigation)	844.00
Well destruction— or renovation (production, cathodic, irrigation)	1,103.00
Geothermal heat exchange well construction	519.00
Well application cancellation	65.00

Well site plan review	584.00
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SECTION 19. Section 8.04.841 is hereby added to read as follows:

8.04.841 Late fee payment -- Community event/seasonal permit.

A community event organizer application or a temporary food facility application shall be considered late if submitted less than fourteen (14) calendar days prior to the start of the event for which the application is submitted. Any application considered late shall be subjected to a penalty fee equal to twenty-five (25) percent of the permit fee or fifty (50) dollars, whichever is greater.

SECTION 20. Section 11.34.060 is hereby amended to read as follows:

11.34.060 Certification -- Application and fees -- Penalty for late application.

A. Every person desiring certification as a swimming pool service technician or as a swimming pool service technician apprentice shall file with the director an application for certification, and shall then pay ~~an~~ all applicable application fees, as provided for in Section 8.04.728 of Title 8, ~~to the treasurer-tax collector of \$110.00 to~~ cover the cost of giving the examination and processing the application. No portion of said fee is refundable. The applicant shall pay a penalty equal to twenty-five (25) percent of the fee if application is not made within thirty-one (31) days after commencement of the activity. A new application fee of ~~\$110.00~~ shall be paid each time the applicant takes the examination.

B. The applicant shall designate upon his application, by address, the principal office of the applicant which is located within the County of Los Angeles, State

of California, and if the applicant has no office within the County of Los Angeles, then he shall designate upon his application his principal office, wherever located.

SECTION 21. Section 11.34.110 is hereby amended to read as follows:

11.34.110 Certification -- Period of validity -- Renewal.

Certification as a swimming pool service technician and certification as a swimming pool service technician apprentice are each effective from July 1st through June 30th of each year. Every person desiring to renew such certification shall pay a renewal fee ~~to the treasurer-tax collector for renewal before July 31st in the amount as provided for in Section 8.04.728 of Title 8 of~~ \$21.00 for each certificate for the following fiscal year. A penalty equal to 25 percent of the renewal fee shall be submitted on or after July 31st for the renewal of the annual certification.

SECTION 22. Chapter 11.36 is hereby repealed in its entirety.

[804064GCCC]

SECTION 23. This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.



Zev Yaroslavsky
Chairman

ATTEST:

Sachi A. Hamai
Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of July 31, 2012 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

Ayes
Supervisors Gloria Molina
Mark Ridley-Thomas
Zev Yaroslavsky
Don Knabe
Michael D. Antonovich

Noes
Supervisors None

Effective Date: August 30, 2012

Operative Date: _____

Sachi A. Hamai
Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to
Section 25103 of the Government Code,
delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By [Signature]
Deputy



APPROVED AS TO FORM:
JOHN F. KRATTLI
County Counsel

By John F. Krattli
John F. Krattli
County Counsel